



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	10/068,127
Filing Date	February 6, 2002
First Named Inventor	Alan L. Starner
Examiner Name	MASINICK, MICHAEL D
Group Art Unit	2125
Total Number of Pages in This Submission	70
Attorney Docket No.	A-69448/MSS (463035-33)

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> (1) Assignment and (1) Change of Name Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Small Entity Statement, Check No. 6485 in the amount of \$1054 (\$665 for small entity Issue Fee, \$300 for Publication, \$9 for advance copies, \$80 for Assignment and Change of Name), and a self-addressed stamped return postcard.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Maria S. Swiatek, Esq., Reg. No. 37,244 DORSEY & WHITNEY LLP 4 Embarcadero Center, Suite 3400 San Francisco, CA 94111-4187 Telephone : 650 494 8700	Customer Number 32940
Signature	<i>Maria Swiatek</i>	
Date	May 17, 2004	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

X

Typed or printed name	Kari Bateman		
Signature	<i>Kari Bateman</i>	Date	May 17, 2004



APPLICATION  
FEE TRANSMITTAL SHEET  
(FY 2004)

Complete if Known

Application No.	10/068,127
Filing Date	February 6, 2002
First Named Inventor	Alan L. Stamer
Group Art Unit	2125
Examiner Name	MASINICK, MICHAEL D
Atty. Docket Number	A-6944870896/MSS (463035-3354)

METHOD OF PAYMENT (Check One)				FEE CALCULATION (Continued)			
<b>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</b> Deposit Account No.: <u>50-2319</u> Deposit Account Name: <u>DORSEY &amp; WHITNEY LLP</u>  <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)				<b>3. ADDITIONAL FEES</b>			
<b>2. <input checked="" type="checkbox"/> Check Enclosed</b>							
<b>FEE CALCULATION</b>							
<b>1. BASIC FILING FEE</b>							
Large Entity Fee	Small Entity Fee	Fee Description		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
160	80	<input type="checkbox"/> Provisional Filing Fee		50	25	Surcharge - late provisional filing fee or cover sheet	
770	385	<input type="checkbox"/> Utility Filing Fee		130	65	Surcharge - Late nonprovisional filing fee or oath	
340	170	<input type="checkbox"/> Design Filing Fee		180	180	Submission of IDS	
770	385	<input type="checkbox"/> Reissue Filing Fee		40	40	Recording each patent assignment per property (times number of properties)	80.00
Subtotal (1)							
<b>2. EXTRA* CLAIM FEES</b>							
Number Claims		Prior	Extra	Fee from Below*	Fee Paid		
Total		- 20	=	x	=		
Indep.		- 3	=	x	=		
Multiple Dependent Claims		=	x	=	=		
Subtotal (2)							
<b>*Calculation of Extra Claim Fees</b>							
Large Entity Fee	Small Entity Fee	Fee Description					
18	9	Claims in excess of 20		110	55	Extension for reply within first month	
86	43	Independent claims in excess of 3		420	210	Extension for reply within second month	
290	145	Multiple dependent Claim		950	475	Extension for reply within third month	
84	42	Reissue independent claims over original patent		1,480	740	Extension for reply within fourth month	
18	9	Reissue claims in excess of 20 and over original patent		2010	1005	Extension for reply within fifth month	
				770	385	Submission After Final 1.129	
				330	165	Notice of Appeal	
				330	165	Filing a brief in support of an appeal	
				290	145	Request for oral hearing	
				110	55	Terminal Disclaimer Fee	
				130	130	Petitions to the Commissioner	
				50	50	Petitions related to provisional applications	
				1,330	665	Utility/Reissue Issue Fee (including advance copies)	674.00
				480	240	Design Issue Fee (inc. advance copies)	
				770	385	Request for Continued Examination (RCE)	
				300	300	Publication fee for early, voluntary, or normal publication	300.00
				300	300	Publication fee for re-publication	
				110	55	Petition to Revive - unavoidable	
				1,330	665	Petition to Revive - unintentional	
				OTHER FEE (specify):			
				Subtotal (3)			
				Total Amount of Payment:			

Submitted by:

Name: Maria S. Swiatek	Reg. No.: 37,244	Telephone: 650-494-8700
DORSEY & WHITNEY LLP	Four Embarcadero Center, Suite 3400 San Francisco, California 94111-4187	Customer Number 32940
Signature:		Date: May 17, 2004

1073264



## B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark up with any corrections or use Block 1)

7590

03/18/2004

Maria S. Swiatek

DORSEY &amp; WHITNEY LLP

FLEHR HOEBACH TEST ALDRITTON &amp; HERBERT LLP

Suite 3400

Four Embarcadero Center

San Francisco, CA 94111-4187

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Kari Bateman

(Depositor's name)

(Signature)

May 17, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,127	02/06/2002	Alan L. Stamer	A-69448/MSS	5767

TITLE OF INVENTION: INERTIAL TEMPERATURE CONTROL SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	06/18/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
MASINICK, MICHAEL D	2125	700-299000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

DORSEY &amp; WHITNEY LLP

2

3

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Aviza Technology, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Scotts Valley, California

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

## 4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee☒ Advance Order - # of Copies 3

## 4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-2319 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

5/17/04

Maria S. Swiatek, Reg. No. 37,244

5/19/04

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

05/20/2004 MAHMEDE 00000198 10068127

01 FC:2501

665.00 OP

02 FC:1504

300.00 OP

03 FC:8001

9.00 OP

TRANSMIT THIS FORM WITH FEE(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Starnier

Serial No. 10/068,127

Filed: February 6, 2002

For: INERTIAL TEMPERATURE  
CONTROL SYSTEM AND METHODAttorney Docket No.: A-69448/MSS  
(463035-33)

Date: May 17, 2004

SMALL ENTITY STATEMENTUnited States Patent and Trademark Office  
P.O. Box 371611  
Pittsburgh, PA 15250-1611

Assignee hereby asserts entitlement to small entity status and is thereby entitled to pay the small entity fee in accordance with 37 C.F.R. 1.27, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. Further, no rights to the patent are held by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27.

Aviza Technology, Inc.

Date: 4/27/2004

By

Name: Jeffrey M. Kowalski

Title: Chief Technology Officer

440 Kings Village Road  
Scotts Valley, California 95066